

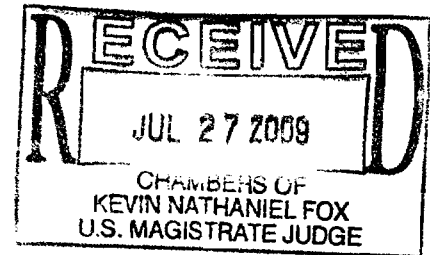
LAW OFFICE OF TEDD KESSLER, P.C.
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MEMO ENDORSED

July 24, 2009



United States Magistrate Judge Kevin Nathaniel Fox
Daniel Patrick Moynihan United States District Courthouse
500 Pearl Street
Room 20A
New York, New York 10007

Re: Frank Frazetta v. Vanguard Productions and J. David Spurlock
Third-party action: v. Ellie Frazetta
08 CIV 6670 (RJH) (KNF)

Dear Hon. Magistrate Judge Fox:

This office represents the plaintiff and third-party defendant in the above-cited matter.

A settlement conference is scheduled for August 4, 2009. Plaintiff, with the consent of the defendants, hereby requests an adjournment of the settlement conference.

Eleanor Frazetta, who held power of attorney to make decisions for Frank Frazetta, passed away last week. At this time, there is no one available to make decisions on behalf of Mr. Frazetta.

I have no additional information at this time. It is respectfully requested that the settlement conference scheduled for August 4, 2009 be adjourned without date. As soon as I am informed that matters regarding the care of Frank Frazetta have been resolved, I will inform the court, and request that the settlement conference be rescheduled.

7/28/09
Application granted.
SO ORDERED:
Kevin Nathaniel Fox
KEVIN NATHANIEL FOX, U.S.M.J.

United States Magistrate Judge Fox

Re: Frank Frazetta v. Vanguard Productions and J. David Spurlock

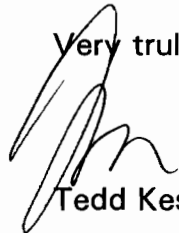
July 22, 2009

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This letter is being provided to defense counsel by regular mail.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to be 'Tedd Kessler', written over the typed name.

Tedd Kessler

TK/hft

CC: USDJ Holwell by regular mail

Patrick Carroll, Esq. by regular mail

Leigh McMillan, Esq. by regular mail

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